

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

ALBERT MILLER,

Plaintiff,

ORDER

v.

14-cv-722-jdp

CAROLYN W. COLVIN,
Acting Commissioner of Social Security,

Defendant.

The parties have filed a motion for reversal and remand in this case under sentence four of 42 U.S.C. 405(g) of the Social Security Act. The motion will be granted.

On remand, the Appeals Council will send the claim to an Administrative Law Judge (ALJ) for a new administrative hearing regarding the claim of disability. Plaintiff will be afforded the opportunity to testify and submit additional evidence and arguments. The ALJ will be specifically instructed to further consider plaintiff's obesity consistent with Social Security Ruling 02-1p; any mental impairments and resulting limitations; plaintiff's credibility; medical opinions, and the testimony of plaintiff's wife. The Administrative Law Judge will proceed through the sequential evaluation process as needed to issue a decision. The Administrative Law Judge will reevaluate whether plaintiff's combined impairments meet or equal the listings. If the sequential evaluation reaches step four, the ALJ will reevaluate plaintiff's residual functional capacity and the ALJ will comply with SSR 82-62 in the evaluation of past-relevant work with the assistance of a vocational expert. If the case proceeds to step five, the ALJ will determine whether there are other jobs that plaintiff can perform with his residual functional capacity (20 C.F.R. § 404.1545 and Social Security Rulings 85-16 and 96-8p). The ALJ will issue a de novo decision consistent with all

applicable rules and regulations including 20 C.F.R. § 404.1569 and Social Security Rulings 83-12, 83-14, 85-15, and 00-4p.

ORDER

IT IS ORDERED that this case is REMANDED to the Commissioner for further action as outlined above.

Entered April 6, 2015.

BY THE COURT:

/s/
JAMES D. PETERSON
District Judge